

**32210**

**SERVICE DATE - OCTOBER 31, 2001**

**SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423**

**ENVIRONMENTAL ASSESSMENT**

**DOCKET NO. AB-33 (Sub-No. 170)**

**Union Pacific Railroad Company - Abandonment and Discontinuance of Operation - In  
Polk County, Iowa**

**BACKGROUND**

In this proceeding, the Union Pacific Railroad Company (UP) has filed an application seeking authority under 49 U.S.C. 10903 to abandon the Bell Avenue Industrial Lead extending from MP 221.1 near SE 18<sup>th</sup> Street to MP 217.38 near SW 30<sup>th</sup> Street, a distance of 3.63 miles in the City of Des Moines, Iowa. The line is located in Polk County, Iowa. A map depicting the rail line in relationship to the area served is appended to the report. If the application is approved, the railroad will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

**DESCRIPTION OF THE LINE**

According to UP, continued operation of the line will result in substantial losses, constituting a financial burden on UP. The line was previously part of the Chicago & North Western Railway Company, which was merged with Union Pacific in 1995. The line was originally constructed by the Chicago, St. Paul and Kansas City Railway in 1887-88. The line is out of service because of the inoperable condition of the railroad bridge over the Des Moines River at MP 219.79.

Only three shippers have used the line for rail freight transportation since January, 1999. One shipper has used the line for shipments of plastic, paper, pulpboard and scrap paper. Another shipper received line in 1999 for the municipal water facility and the third shipper has used the line for the movement of its circus train.

There are no reasonable alternatives to the abandonment. Rehabilitation for railroad purposes of the Des Moines river bridge cannot be economically justified. There are no reasonable expectations that traffic on the line will ever increase sufficiently in the foreseeable future to justify the costs of operating and maintaining the line. There is no overhead traffic on the line.

The line does not contain Federally granted right-of-way. The plan for disposition of the property made available by the abandonment, is to offer it to the City of Des Moines. The City of Des Moines has advised UP, by letter dated August 31, 2001, that the City of Des Moines is

interested in pursuing the acquisition of the line, including the Des Moines River Bridge, for incorporation into the City of Des Moines' recreational trails system under the Rails to Trails Program under the National Trail System Act. If the City of Des Moines is not interested in the property, a local broker will be contracted to assist in listing and selling the property to adjacent owners.

## **ENVIRONMENTAL REVIEW**

UP submitted an environmental report that concludes the quality of the human environment will not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. UP served the environmental and historical reports on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's (Board's) environmental rules [49 CFR 1105.7(b)]. We have reviewed and investigated the record in this proceeding.

The Department of the Army, Corps of Engineers, Rock Island District, has indicated that the project, as proposed, does not require a Section 10 or Section 404 permit. However, the Department of the Army advises that if the project should involve the extraction of any bridges, UP will be required to remove all fill material to an upland, non-wetland site, and to remove all pilings to at least one foot below streambed elevations. In addition, UP will be required to seed all disturbed areas with native grasses and to implement appropriate measures to insure that sediments are not introduced into waters of the United States. Prior to commencement of any salvage activities on this project, UP will be required to contact Mr. Terry Stieger of the COE Emergency Management Division concerning impacts to local Flood Protection Projects.

The National Geodetic Survey has advised us that two geodetic station markers have been identified that may be affected by the proposed abandonment.

The State Historical Society of Iowa (Iowa SHPO) has advised us that the bridge at MP 219.79 is of considerable historical and architectural interest. The Iowa SHPO has requested that we conduct an intensive level survey of this bridge to determine its eligibility or ineligibility for the National Register of Historic Places. We will notify the Advisory Council on Historic Preservation and determine their participation pursuant to 36 CFR part 800.6. We will begin consultation with the Iowa SHPO to determine ways of resolving any adverse effect.

UP's application states that a total of 126 carloads were moved on the line during the base year (May 2000 - April 2001). Using a rail-to-truck conversion factor of 4 trucks per carload<sup>1</sup>, SEA calculates that on a per day basis, if all the rail traffic is diverted to truck traffic, the abandonment would generate an estimated 504 new trucks per year (1008 truck trips assuming an empty backhaul). This equates to approximately 4 trucks per day being added to area roads

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<sup>1</sup> The conversion factor is an estimate based on the varied nature of the commodities transported on the line.

during a 240 workday year<sup>2</sup>. This increase will not exceed the Board's thresholds of an increase of more than 10 percent of the average daily traffic or 50 vehicles a day on any affected road segment [49 C.F.R. 1105.7(e)].

## **CONDITIONS**

We recommend that the following three environmental conditions, addressing the environmental concerns discussed above, be placed on any decision granting abandonment authority.

1. To address the concerns raised by the Corps of Engineers, Rock Island District, UP shall, prior to extraction of any bridges, consult with the U.S. Army Corps of Engineers. In addition, prior to commencement of any salvage activities on this project, UP shall contact Mr. Terry Stieger of the Emergency Management Division at 309-794-5325, concerning possible impacts to local Flood Protection Projects.
2. The National Geodetic Survey (NGS) has identified two geodetic station markers that may be affected by the proposed abandonment. Therefore, UP shall notify NGS 90 days prior to salvage activities in order to plan their relocation.
3. The State Historical Society of Iowa has determined that the bridge at MP 219.79 is of considerable historical and architectural interest and may be eligible for listing on the National Register of Historic Places. Pending resolution of these issues, UP shall retain its interest in and take no steps to alter the historic integrity of the bridge until completion of the Section 106 process of the national Historic Preservation Act, 16 U.S.C. 470f.

## **CONCLUSIONS**

Based on the information provided from all sources to date, we conclude that, as currently proposed, abandonment of the line will not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and, therefore, no change in operations), discontinuance of service without abandonment and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

## **PUBLIC USE**

If abandonment and salvage of the rail line does take place, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for

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<sup>2</sup> 240 workdays result when weekends and holidays are subtracted from a 365 day year.

imposition of a public use condition (49 CFR 1152.28) must be filed with the Surface Transportation Board and served on the railroad within the time specified in the Federal Register notice.

### **TRAILS USE**

A request for a notice of interim trail use (NITU) is due to the Surface Transportation Board, with a copy to the railroad, within 10 days of publication of the notice of exemption in the Federal Register. However, the Board will accept late-filed requests as long as it retains jurisdiction to do so. This request must comply with the Board's rules for use of rights-of-way as trails (49 CFR 1152.29).

### **PUBLIC ASSISTANCE**

The Board's Office of Public Services (OPS) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPS directly at (202) 565-1592 or mail inquiries to the Surface Transportation Board, Office of Public Services, Washington, DC 20423.

### **ENVIRONMENTAL COMMENTS**

If you wish to file comments regarding this environmental assessment, send an **original and two copies** to Vernon A. Williams, Office of the Secretary, Washington, DC 20423, to the attention of Kenneth Blodgett, who prepared this environmental assessment. **Please refer to Docket No. AB-33 (Sub No. 170) in all correspondence addressed to the Board. Questions regarding this environmental assessment should be referred to Kenneth Blodgett at (202) 565-1554.**

Date made available to the public: October 31, 2001.

Comment due date: **November 30, 2001 (30 days).**

By the Board, Victoria J. Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams  
Secretary

Attachment

MAP TO BE SCANNED